



2833

Dkt. 6845/59951-Z

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application of: Michael Tucci et al.

Serial No.: 09/899,776

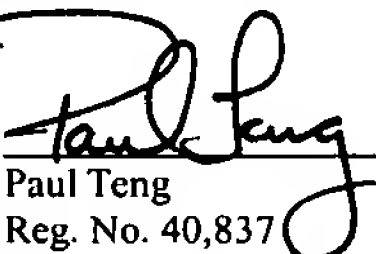
Date Filed: July 5, 2001

**RECEIVED**

**MAY 14 2007**

**Technology Center 2800**

For: CARBON FIBER ELECTRICAL CONTACTS FORMED OF COMPOSITE CARBON  
FIBER MATERIAL LIQUID DROP JET HEAD AND INK JET RECORDING  
APPARATUS

I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.	
 Paul Teng Reg. No. 40,837	<u>May 7, 2007</u> Date

1185 Avenue of the Americas  
New York, N.Y. 10036  
(212) 278-0400

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

In order to ensure compliance with the applicant's duty of disclosure under 37 C.F.R. §1.56 and §1.97(a)-(d), Applicant hereby submits this Information Disclosure Statement.

This Information Disclosure Statement is being filed pursuant to 37 C.F.R. §1.97(b)(3). To the best of Applicants' knowledge, this Information Disclosure Statement is being filed before the date of mailing of a first Office Action on the merits in connection with this application.

Alternatively, Applicant requests consideration of this Information Disclosure Statement under 37 C.F.R. §1.97(c)(1). The references listed in the annexed Form PTO-1449 were cited in an April 14, 2007 official action in connection with a counterpart European patent application. A copy of the April 14, 2007 European official action is also enclosed herewith. Each reference listed in the Form PTO-1449 annexed to this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

It is respectfully requested that the information cited in the annexed Form PTO-1449 be considered by the Examiner in connection with the above-identified patent application, and that such art be made of record in said application.

The citation of the listed items is not a representation that they constitute a complete or exhaustive listing of the relevant art or that these items are prior art. The items listed are submitted in good faith, but are not intended to substitute for the Examiner's search. It is hoped, however, that in addition to apprising the Examiner of the particular items, they will assist in identifying fields of search and in making as full and complete a search as possible.

The filing of this Information Disclosure Statement is not an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b).

The Patent Office is hereby authorized to charge any fees that are required for consideration of this Information Disclosure Statement and to credit any overpayment to our Deposit Account No. 06-2140.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul Teng", is written over a horizontal line.

Paul Teng, Reg. No. 40,837  
Attorney for Applicants  
Cooper & Dunham LLP  
(212) 278-0400

**\*EXAMINER:** Initial if citation considered, whether or not citation is in conformance with MPEP 609: Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



EPA/EPO/OEB  
D-80298 München  
+49 89 2399-0  
TX 523 658 epmu d  
FAX +49 89 2399-4465

Europäisches  
Patentamt

Generaldirektion 2

European  
Patent Office

Directorate General 2

Office européen  
des brevets

Direction Générale 2

Coyle, Philip Aidan  
F. R. KELLY & CO.  
27 Clyde Road  
Ballsbridge  
Dublin 4  
IRLANDE

Telephone numbers:

Primary Examiner +49 89 2399-7446  
(substantive examination)

Formalities Officer / Assistant +49 89 2399-2131  
(Formalities and other matters)



Application No. 02 394 117.2 - 2214	Ref. pf05820/pc/cb	Date 17.04.2007
Applicant Micro Contacts Inc		

**Communication pursuant to Article 96(2) EPC**

The examination of the above-identified application has revealed that it does not meet the requirements of the European Patent Convention for the reasons enclosed herewith. If the deficiencies indicated are not rectified the application may be refused pursuant to Article 97(1) EPC.

You are invited to file your observations and insofar as the deficiencies are such as to be rectifiable, to correct the indicated deficiencies within a period

**of 4 months**

from the notification of this communication, this period being computed in accordance with Rules 78(2) and 83(2) and (4) EPC.

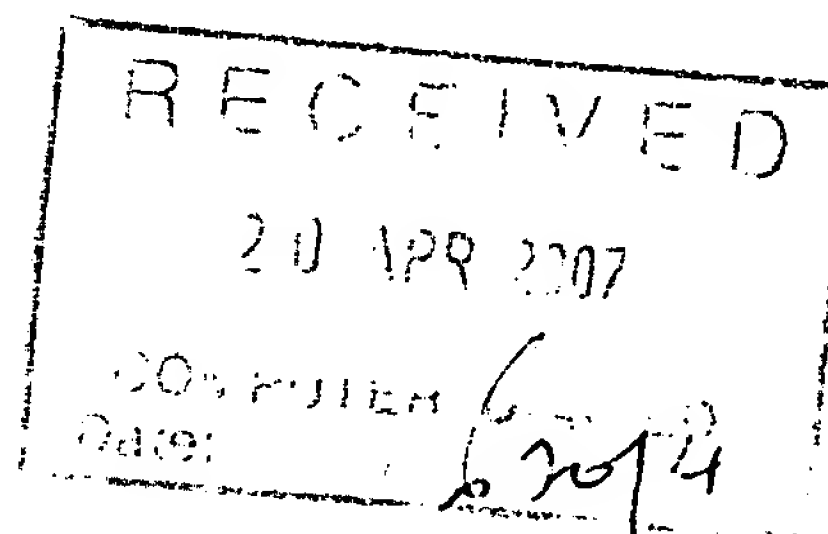
One set of amendments to the description, claims and drawings is to be filed within the said period on separate sheets (Rule 36(1) EPC).

**Failure to comply with this invitation in due time will result in the application being deemed to be withdrawn (Article 96(3) EPC).**



GARCIA CONGOSTO, M  
Primary Examiner  
for the Examining Division

Enclosure(s): 3 page/s reasons (Form 2906)



**Bescheld/Protokoll (Anlage)****Communication/Minutes (Annex)****Notification/Procès-verbal (Annexe)**

Datum  
Date  
Date 17.04.2007

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Sheet  
Feuille 1

Anmelde-Nr.:  
Application No.: 02 394 117.2  
Demande n°:

The examination is being carried out on the **following application documents**:

**Description, Pages**

1-10 as originally filed

**Claims, Numbers**

1-21 as originally filed

**Drawings, Sheets**

1/5-4/5	received on	31.03.2003	with letter of	25.03.2003
5/5	received on	25.08.2003	with letter of	21.08.2003

- 1 Reference is made to the following documents; the numbering will be adhered to in the rest of the procedure:  
  
D1: US 2003/008125 A1 (DELANOY CURT ET AL) 9 January 2003 (2003-01-09)  
D2: US-B1-6 444 102 (VESELASKI STEPHEN ET AL) 3 September 2002 (2002-09-03)  
D3: US-A-4 460 633 (KOBAYASHI HIROYASU ET AL) 17 July 1984 (1984-07-17)
- 2 The drawings filed with the letter dated 21.08.2003 introduce subject-matter which extends beyond the content of the application as filed, contrary to Article 123(2) EPC. The surface of the central layer of figure 13 is covered with parallel lines. This is

Datum  
Date 17.04.2007  
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Sheet 2  
FeuilleAnmelde-Nr.:  
Application No.: 02 394 117.2  
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however not the case in the originally filed figure 13.

- 3 The application does not meet the requirements of Article 84 EPC, because claim 1 is not clear. In claim 1 the "carbon fiber elements in each layer are aligned in substantially the same direction". This is however not the case in page 6, lines 3-28 and figures 3-5, see especially lines 6-8 and 28. Therefore, this subject-matter does not fall within the scope of the claims. This inconsistency between the claims and the description leads to doubt concerning the matter for which protection is sought, thereby rendering the claims unclear. The inconsistency should be removed. This can be done by indicating in the description that the embodiments concerned do not form part of the invention but represents background art that is useful for understanding the invention (see the Guidelines C-III, 4.3(iii)).
4. In case the Applicant intends to file a new set of claims he is requested to take into consideration the following remarks:
- 4.1 The independent claim should be written in the two-part form in accordance with Rule 29(1) EPC, which in the present case would be appropriate, with those features known in combination from the prior art (document D2) being placed in the preamble (Rule 29(1)(a) EPC) and with the remaining features being included in the characterising part (Rule 29(1)(b) EPC). The following proposal fulfils the requirements of Rule 29(1) EPC:
- "An electrical device for transmitting electrical signals and for movable contact with an electrically conductive track, the device comprising a contact formed of a composite carbon fiber material having at least one layer of carbon fiber elements, wherein the carbon fiber elements in each layer are aligned in substantially the same direction and free ends of the layer of carbon fiber elements are adapted to contact said electrically conductive track, characterised in that said at least one layer of carbon fiber elements is sandwiched between first and second mats formed of nonwoven carbon fibers with a thermoplastic resin coating on outer surfaces of said first and



**Bescheid/Protokoll (Anlage)**

**Communication/Minutes (Annex)**

**Notification/Procès-verbal (Annexe)**

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Sheet  
Feuille 3

Anmelde-Nr.:  
Application No.: 02 394 117.2  
Demande n°:

second mats".

- 4.2 The features of the claims should be provided with reference signs placed in parentheses to increase the intelligibility of the claims (Rule 29(7) EPC). This applies to both the preamble and characterising portion (see the Guidelines, C-III, 4.11).
- 4.3 To meet the requirements of Rule 27(1)(b) EPC, D2 should be identified in the description and the relevant background art disclosed therein should be briefly discussed.